

## DICK FORD

Dick Ford was born in Seattle, but moved to Spokane at the age of 8. Dick received his bachelor of arts degree from Washington State University and juris doctor degree from Georgetown University. Upon returning to the state in 1957, he was legal counsel to the County Commissioners Association and later the executive secretary of the Public Ports Association.

In 1968 Dick joined the Port of Seattle as general counsel, and in 1977 he was appointed executive director of the port. In 1985 he retired from the port and joined Preston Gates & Ellis.

In 1989 Governor Booth Gardner appointed Dick chair of the Growth Strategies Commission. The commission worked with the Governor and key legislators in helping to frame the Growth Management Act, which provides the framework for public land use and infrastructure policy in the state.



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<b>Interview with:</b>	<b>Dick Ford</b>
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<b>Interviewed by:</b>	<b>Rita R. Robison</b>
<b>Transcribed by:</b>	<b>Brian McConaghy</b>
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### **Tape 1, Side 1**

**Rita R. Robison:** This interview with Dick Ford is about the history of Washington State's Growth Management Act (GMA). The date is July 26, 2005, and the interview is taking place at the Washington State Department of Community, Trade and Economic Development in Seattle. My name is Rita R. Robison, and I will be interviewing Dick Ford today.

**Rita:** What interest did you have in land use planning and growth management before its passage in 1990?

**Dick Ford:** Well, my history goes back quite a long ways. I think it was in the 1959 session of the Legislature, and I was working for what was then called the County Commissioners Association and was involved in the rewriting of the county land use code; state planning law if you will. I think it was the 1959 session when it was approved by the Legislature.

I did some work with King County when the county hired a couple of planners out of Los Angeles to come up and help them redo their planning and zoning ordinances here in the county. That was about the same time frame, 1959-60. And then after that, I went to work for the ports and my interest was primarily as a lawyer for the ports, in the early years at least, getting the various entitlements that we needed for projects. Not as many difficulties in those days as we have today. I did work pretty actively on—not on anything to do with GMA per se—the Shorelines Management Act, when that was put together in the early 1970s. By that time I was working for the ports and, of course, they had a deep interest in that act.

So that sort of was the start of it and then, when I left the port and went to work at the law firm Preston Gates, much of my practice was around land use and related administrative law issues.

**Rita:** What role, if any, did you play in the passage of the Growth Management Act?

**Dick:** Well, I suppose, depending on who you talk to, it could be debatable whether I helped pass it or whether I was one of the stumbling blocks they had to deal with to get it passed. But leaving that judgment to others, the Governor asked me to chair the Growth Strategies Commission, which was the citizens' commission that worked with members of the Legislature to gain the passage of GMA.

**Rita:** Tell us about the creation of the Growth Strategies Commission and why it was significant in the creation of the GMA.

**Dick:** Well, I think the Governor, Booth Gardner, really wanted to have a bit of a citizen input that would go beyond the normal thing that you'd see in a legislative action. I hope you can interview Governor Gardner and Joe King. But I suspect that their common belief was having the commission helped put together some of the ideas that would ultimately go into fashioning the Growth Management Act; that impact would be an important part of the process to win approval in the Legislature. So the Legislature approved the formation of the Growth Strategies Commission at the request of the Governor, and a number of us were asked to serve on that commission. It was part of a broader strategy to ultimately win support in the Legislature for the act.

**Rita:** What were the challenges of chairing the Growth Strategies Commission?

**Dick:** Well, I'll have to say the Governor did a pretty good job of getting diversity. Not in the sense that we often think of diversity, but diversity in the thinking and the approaches that many of these people took. And right up through the end, several of them did not like the outcome of the act—thought it was either a waste of time or an inappropriate way to go forward. But I think that was part of the strength of the process. I suppose in putting it in the vernacular, it “smoked out” all of the diverse views that were out there, so that they could be met and dealt with rather than have it sort of a subterranean undercutting of the efforts in the Legislature to get the law.

**Rita:** What were the most important issues the Growth Strategies Commission was addressing?

**Dick:** Well—and I probably should have said this a little bit earlier, because Preston Gates has an office in Oregon—I had some understanding of what was going on in Oregon, which of course had had growth management for about 20 years at the time we were looking at it.

The first was to try to get a grasp, I think, of what other states were doing and talking about. Because the idea of this, in simplistic terms, is not too hard to grasp, but to see how this works on the ground, and what it was trying to accomplish and how it was accomplishing those goals. It was important to do our homework in terms of talking to a lot of people in a lot of different states that were working in this area; we brought a lot of them into the state to help carry the message. So to some extent, it was an effort to raise the visibility of the idea so that there was at least an understanding by a broad enough group that you could get some traction in the Legislature. It's pretty hard to get the Legislature to focus on something that nobody knows much about. So I think that was the first thing that we had to do, is try to get all of us up to speed about what the conversation about growth management was at that time—that is in the late 1980s, early 1990s. And the conversation was going on and the action was taking place in the Legislature. So that part seems pretty easy to talk about now. It was a major part of what we were doing.

The second part, of course, was to try to see how all of these diverse ideas that were being kicked all around in the country on growth management might be shaped and tailored to meet our needs in this state. There's a lot of inertia in terms of legislation and for the most part that's probably good. But when you want to make major changes to what people have historically thought about how things work, you always have a lot of

issues with how do you convince people that those changes will work better than the old systems.

**Rita:** So you looked at Oregon as one model. You said other states...

**Dick:** Oh, we looked at Georgia, we looked at Florida. I'm sure there were others, but those three come to mind immediately. And I'm not saying that they had perfected it, but they had a lively conversation going on in their states. Oregon actually did have an entrenched system. Whether you like it or dislike it is another issue, but they had a system that had been operational for a good number of years.

**Rita:** When the Growth Strategies Commission offered public hearings on growth management, what was the reaction of the people in the organizations in the state to the topic?

**Dick:** Well, it was exactly as you might expect. The people who were professionals in the field were highly intrigued with it, largely supportive, although obviously there were nuances of differences and so forth. But I think the professionals understood we had gone about as far as we could with the enabling legislation we had for cities and counties and authorities that we had at the state level. That we pretty much were at a point where we couldn't get the things done that at least the professionals felt had to be done under the planning and environmental protection and other issues that were out there. We can talk more about those issues later.

And then, as you expect, the property rights people not only didn't want change, they wanted to get rid of everything else that was out there. And then you had a series of vested interests who weren't quite sure how this would impact their specific interest. And finally, you had the environmental groups who, of course, wanted to go a great deal further in this and actually down the road introduced an initiative, which was ultimately sidetracked. It was sort of the mix that you would expect. A lot of people who knew quite a bit about it—that's the professional group—and then a lot of people who had a lot of fears about it or simply didn't like any kind of control over their property. They didn't mind controls on other people's property; it was their property that they didn't like the controls on.

And then you had certain vested interests who were worried about, "What does this do to me? Does it mean my department is going to disappear and be reorganized and maybe I'm no longer the head of the department?" or whatever?

**Rita:** So what else would you like to tell us about the work of the Growth Strategies Commission?

**Dick:** Well, first of all, our role was only part of a much bigger effort and the main game was still in the Legislature where a whole lot of people were working on this. But in particular, we had the backing of the Governor, which you have to have, and the Speaker of the House [of Representatives]. So you had not really a sideshow, but we were part of the process, but not the whole game and that has to be understood. I think the most lively debates turned on three or four issues.

The first is, What is the role of the state and what is the role of local government in this issue? And the compromise, I think, is pretty well understood now; basically local governments still create the plans under a framework that was laid out under the state law, but they prepare the plans. The state has some review authority over those plans, but they're not the principal planner. The environmentalists basically wanted the state to take over all planning stages, that was their position. A little more refinement is necessary to state it absolutely correctly, but it's close enough to explain the sharp divide here.

The second major issue is, I think, the majority of the commission understood that sprawl was a serious problem for our communities and for government, and for that matter, for property owners. They also understood every time you have a development with private investment there is a counterpart investment in

infrastructure that is required by government, whether it's your water supply, or the sewers, or the roads, or whatever—additional fire protection—all of those things come into play. And the systems that we had did not deal with that well and this is broadly speaking the concurrency issue, which had a lot of conversation around it.

The next thing that was interesting, of course, was how do you get some additional money into infrastructure and that's the impact fees. As an effort to deal with a very serious problem, we had mitigation under the environmental laws. The problem is you had to show a direct relation of the impacts and the secondary impacts were very hard to quantify, and the courts weren't very friendly in that area. So we were trying to get some fees that dealt not only with the immediate impact, that is a road in front of the house you want to build, but when those roads dump onto the main arterials and the arterials have secondary impact in terms of capacity. The particular problem was how do we get more funding into the total system? Not enough, but over the years we have raised quite a bit with impact fees, better than zero, let's put it that way.

Another question, how do you deal with conflict, the appeals process if you will, was a very interesting debate and some very smart people said, "Well, if you don't like it, go to court; let the courts deal with it." And the question of whether you should put in an administrative agency, an administrative hearing board if you will, in the mix was a lively debate. I happen to think that was the best way because I thought an awful lot of the conflicts could get dealt with at that level. And even if they weren't, it gave the court kind of a head start because there would be a record out of the administrative appeals. You hear a lot of people saying, "Well, they always go along with the agencies," and all of that stuff. Whether it's true or false, there at least is a record for the court and the reality is that courts generally go along with administrative actions as well. It's a pretty high hurdle—whether the administrative action was taken by a county planning agency or whether it's taken by the administrative board doesn't change the issues for those who want to challenge it.

Finally, and maybe we can talk about funny stories, the regional result for Central Puget Sound I found in some ways the most interesting and in some ways the most hilarious. The feds have had more to do with the reality of regional agencies in the planning mix because they provided money, but the legislation still created the regional connection—it's sort of a one-line change, but it has had a big impact on the way planning in Central Puget Sound is organized. And for those who hadn't followed that issue, they may remember that particularly King County was ready to pull out of all the regional agencies; didn't want any part of it and so on. We can talk more about what happened there, but it was one of those interesting results.

**Rita:** So the Growth Strategies Commission made recommendations and then they had issue papers. Let's see, you talked about infrastructure and so the issue papers were also on economic development, governance, and housing and so these were also issues, I guess, the commission was interested in because the issue papers were developed.

**Dick:** Right, and it was part of the effort to get a broad conversation about the issues we're trying to deal with. Why approach growth management at all? What was not working that we thought growth management would do better than the old system? There were a number of things.

First of all, we were not doing well on infrastructure. The question of communities that are not reasonably well organized with pretty clear understandings of how development can work in those communities usually is a negative for private investors, particularly those who are going to bring jobs. Business can tolerate almost anything but uncertainty. That's about the only thing they can't live with and communities who don't understand that will not get investment in job production. A few industries are attracted because of resource

requirements, but an even bigger issue today is those mobile human resources. So much of the jobs now essentially are relying more on good telecommunications than on resources. You have a highly competitive environment and if it looks like your community's environment is uncertain, they'll probably pass you by and so that was part of the discussion. The infrastructure is obvious, but the people and their skills are less clear.

Housing—I have to admit it's an area where the problems have not gotten better in my opinion. Obviously housing is a market and it is driven by demand. Demand comes out of two factors—average earnings is one part of it, people have to have money to buy housing. And the other part of it is the availability, at a given point in time, and when there are shortages the prices go up—it's basically a bidding war. But the difficulty with housing is it's hard to get the investment to create a surplus so that you don't get this auction where you have a very limited supply—a huge demand, limited supply.

The place where the public sector hasn't done a very good job is providing buildable sites. It just hasn't worked. There hasn't been enough money for basic infrastructure. What money there is for infrastructure goes to the immediate problems, not into investments that may not pay off for five, ten, or 15 years. You're not going to get the homebuilders to build a surplus supply of houses. The minute they know the market is going down, they get out of it. That's the history and for good reason because the banks won't lend them any money on speculation.

But in any event, the housing issue is about having an adequate supply of land. There's an adequate supply of land, but there isn't an adequate supply of buildable and serviced sites. So even if you can get a quick response from builders, the sites aren't really ready and you have a huge delay. Just the drainage issues—let's take that. Is anybody going to go in and plat 400 lots, get them all drained, rough in the roads, rough in the water lines, rough in the sewer lines? Who's going to carry that capital cost for how long? It isn't going to be the private sector and government isn't willing to do it either. So the lead-time on supply always trails demand.

There were some site development actions going on up in Vancouver, B.C., where the government was doing that, but we were never able to formulate that idea and make it work here. Governance issues I think, for the most part, centered around, Should it be the state or should it be local? Probably some other issues, I don't remember the details of the issue papers, but that clearly was part of the debate.

**Rita:** So, now you had this process going on where the 1990 act had been passed, the Growth Strategies Commission was working to figure out the implementation piece, and then you had the initiative. That must have been pretty challenging.

**Dick:** Oh, it was. It meant we had the diversion of running against the initiative. Actually, as it played out, I think the public generally did not want to cut out the local piece because that's where they could have an impact. For everybody to track down to Olympia to have an impact is pretty challenging.

So I think the environmental community underestimated the voters. Once the public got it in their head, that it wouldn't make any difference what your city council said or the county commission did, they didn't like the initiative. You'd be down there talking with the Governor and the Legislature if you didn't like the way they'd zoned your property. Maybe we overstated it, but the message got out. To this day, a few of my environmental friends that were active in that campaign on the other side say, "Well, you didn't quite tell them the real story." And I said, "Neither did you, so we're even." But I think, in general, the public got it right. We can argue about that, but in general they did. The other real problem in that issue is, Could you count on the state to really fund it? And the answer, at least for most of us, was no. To run a statewide planning



organization, you'd need to set up regions and all that stuff.

**Rita:** It'd be expensive.

**Dick:** It'd be a big budget item. And I think there were a few city councils and others who off the record thought this was great: "We get rid of the political grief and we free up a whole bunch of money that we could spend on something else." Maybe more of those voted for it than the environmentalists, I don't know.

You asked a couple other questions. The implementation side did deal with the administrative appeals process; How do you deal with that?

We put in the essential public facilities provision as part of the amendment in 1991. That was a very important issue because we were trying to blunt, to some extent the "not in my backyard" crowd. Because the fact is, whether we like it or not, we need garbage collection, we do need a sewer treatment plant—there's things that nobody wants in next to them, but they know they've got to have it somewhere. So we had to have a system where you could put conditions around it, but you couldn't just say no, and end it there. I think the regional piece came in the second piece, at least for Central Puget Sound.

I'll tell that story because I'd worked very hard to try to get the committee to put something in about regional and folks from Snohomish County wanted no part of that. They met with Sam Kinzer and Ed Hansen, principally, out of Snohomish and then all of a sudden, we get a call from Olympia saying the guys from Snohomish are down here and want to put in this thing on regionalism. I said, "What happened? How did they suddenly get religion?" They finally figured out that it's better to be working with King County than to have everybody off on their own. It finally dawned on them that, "Yeah, you could get rid of this, but then you'd have to reinvent it." Somewhere in the law, there's one line that clarifies the authority for the Puget Sound Regional Council.

**Rita:** I think it's at the end of county-wide planning policies, a requirement for multicounty planning policies.

**Dick:** Well, you can talk to others. I'm pretty sure I'm right, that this is what happened in one of these sessions on the regional piece, because we had that war going on by King County, trying to disband what was then the regional organization. Or at least they were going to get out of it. And when they did that, of course, it would fall apart. It was an issue that was a good combination of federal funding and getting everybody around the table. Some of the meetings are not very nice, but the fact is, at least you got everybody talking to each other.

**Rita:** So what about those hearings boards? How do you think they're working?

**Dick:** On balance, I'm pretty happy. It doesn't mean I agree with every decision that they come down with, and I don't follow it as much as I once did, but fundamentally they did at least three things. One, they filtered out a certain number of what I'll call not very important appeals that had issues that needed to get clarified and they didn't have to get tied up in court. Right, wrong, or indifferent, they provided guidance to local planning agencies and the land use bar so they could understand what the ground rules were. And if people didn't like that guidance, then they'd have to move into the court system or Legislature to get it changed.

I think they've done a remarkable job in providing guidance. It's taken a number of years to get there, but now you have a pretty good body of determination.

**Rita:** Can we pause a moment?

## **Tape 1, Side 2**

**Dick:** On balance, in the rulings that have gone up to the courts, the board has clarified the issues and provided a rationale for the courts to consider. And if the court is going to do something different—even though technically it's *de novo*—they've got to say why they're doing it different; that also helps to clarify. Cost-wise, it is a little cheaper if you only go the one step. Obviously, if you go the second step it's more expensive. But I think, on balance, they've done a fine job of what we knew would be part of what was needed to make this act work.

**Rita:** So, now in terms of your role, the main role that you had at the time of the passage was working on the Growth Strategies Commission? Did you have any other role when the first law was passed, before you became head of the commission?

**Dick:** We obviously were talking with people in the Legislature, but you might say I personally was somewhat informed—providing input with Joe King and others, but was it significant? I don't know.

**Rita:** And by “we” you mean whom?

**Dick:** We, the Growth Strategies Commission, were formed prior to that first legislation passing. So they were asking where were we and what are we learning and all that stuff. Mary McCumber, executive director of the commission, probably did more of it than I did, but we were inputting into the process. To what extent our input was useful or not useful, you'd better ask the people that actually worked on the legislation. But we were part of the process. We were not the drafters of the legislation.

**Rita:** What was the political climate that led to the passage of the GMA?

**Dick:** Well, as I said early on, I think people who were watching what was going on under the existing legislation did not think that it was doing the job that needed to be done. A lot of it was environmental, that is the critical areas issue—a very tough set of problems for cities. You may remember some of the litigation that Seattle had on trying to protect some of the greenbelts on hillsides, some of those issues. So, we felt if some of that could be factored into a requirement under state law, that that would be helpful. You still have the property rights problem always in the background, but the real question is, Did the police power extend into these areas? And having the Legislature create a clear statement on that was helpful.

The urban growth boundary—the requirement of creating an urban growth boundary and some standards to get there clearly helped to address some of the sprawl issues that had a lot of us worried. And it really couldn't be done under the old legislation; it just wasn't possible. The Legislature itself had really only created a permissible kind of planning—where it said to the localities, “You can do these things,” but they didn't require them to do anything. In other words, communities didn't have to have anything if they didn't want to. And some didn't as a matter of fact, they had nothing.

So this was a mandate, limited in some of the smaller counties, more complete in the highly dense urban counties—all that stuff which again was part of the political compromise, but a practical compromise. You're not going to get a lot of high density around Dayton, Washington, so you don't need to lay out a big fight down there.

In any event, the fact that, for the first time, the Legislature started to set a framework that fundamentally said to local government, “You've got to do these things and start dealing with them.” It was a huge change. And I think, in a very simplistic way, most of us who were favorably disposed towards GMA didn't think it would ever happen under the existing laws because they were too permissive.

**Rita:** What kind of pressure was there from the public to create a growth management strategy?

**Dick:** Well, I don't think there was—in a direct sense—they didn't really register GMA. But they knew there were some things they didn't like about the way development was occurring, particularly in the urban areas, and they were concerned about where that was going and what it would mean to them. And they were no longer willing to let people go out and put large projects all on septic tanks or not take care of the drainage. They were worried about open space, they were worried about the impact on wetlands and other critical areas; those kinds of things. And traffic and those kinds of problems were starting to raise their heads and people wanted those things addressed. So the sales pitch was, "Here's a way to start down the road to address these kinds of problems," and I think that was the sales pitch that worked.

**Rita:** So when you talked about the public hearings for the Growth Strategies Commission, you talked about the opposition. Is there anything else you'd like to say about the opposition, how they were accommodated, or what the compromises were?

**Dick:** Well, I think the environmental community, which wanted a much more active role by the state, finally came to terms with the fact—first of all, even if it was a great idea, Would it get funded at the levels that would have worked? And it suddenly dawned on them, if the local governments bailed on this, no matter what the law said, the state was supposed to do this, if the state wouldn't fund it, it wouldn't work. I think they finally figured that out. It took them a little while, but in 1989 and 1990 the economy was pretty good, but there was not a whole bunch of free money at the state to pick up the tab for all of this stuff.

To some extent, property rights guys and some of their hangers-on, they just basically were "rolled." They didn't have the votes. You'd say, "Well, did you accommodate them in some way?" Well, how do you accommodate someone who wants nothing? That would not have been acceptable, at least for those of us who supported growth management. So, our argument was change was needed. We're willing to talk about how far the change goes, how it's implemented, try to get a compromise that we can get enough votes to have it happen, but we're not going to stay at status quo and we're not going to go backwards.

**Rita:** How important is the GMA in terms of significant statewide legislation?

**Dick:** Well, I think it—along with the Shorelines Act—is very significant because, from the state's perspective, this is the first time the state really stepped up and started to lay out a framework for local governments to deal with the kinds of issues we're talking about here and actually mandated certain actions by local governments. Now, the state indirectly administers a lot of federal laws—the Clean Water Act, the most notable—but they didn't pass the Clean Water Act, the feds did and they either had the choice of having the feds administer it or them to take it over. We were really fairly latecomers in the environmental movement, in this state.

So, this was, in some ways, a natural outgrowth of the environmental movements that Dan Evans led in the early 1970s. It was kind of the next wave of it where you still have a lot of responsibility at the local level, but the state lays out some parameters that are required of the locals.

**Rita:** For about five years after the GMA was passed, CTED would invite you to give presentations to local governments at workshops that they offered. What was the reaction to those presentations?

**Dick:** Generally, very favorable. I think there was a lot of enthusiasm on the part of the professionals in the field. I think they were having fun with the new idea and maybe a little bewildered and a little bit trying to figure out how it really was going to work. All those things in the bill were new things, but I think they were ready for a "shot in the arm." And so I found those first years fun to do because there was just a lot of



electricity in the air, because it was something new. They were moving away from what hadn't been working too well and at least had the opportunity to believe that it could be a better world than it was. So, that was the right time to do it. They're probably not quite [laughs] as excited as they were at the beginning of the program.

**Rita:** What was the early process for local governments to begin their work under the Growth Management Act?

**Dick:** Well, I was not as close to that as some others, but I think Mike McCormick—who I think ran that part of the department at that time—did a phenomenal job helping most of these local agencies figure out how to get the planning process started. It was a change in the process. It did mean that they had to go to their bosses and ask for more money in many cases.

All of the troubles that go with this kind of a change, but between the department's guidance and some pretty creative local leadership, I think it actually was better than we had a right to expect. We could have had total anarchy and chaos, which is frequently the way government responds to anything new, but on balance, this was a pretty orderly process.

Now sure you had outliers who didn't want to do anything. You had the usual guys that complained that, "This is a crazy thing to do. We don't need it here," all of the things that you would expect in this kind of a transition. But in my mind, it was, on balance, extraordinarily well-done considering what a huge change it was for people. Even in a few cases, where a few of the local political leadership had their heels dug in and weren't going to play, the local communities came and threw a couple of them out and said, "We are going to play." So the voters were an ally in many places where this was necessary.

And we can argue about what has it done, what is the outcome. But I think it's fair to say without it we'd have had more critical areas that would have been damaged. We would not have protected as much. We would have had more sprawl, invariably. I think the density figures, particularly in Central Puget Sound, demonstrate that some of that is working the way we hoped it would. I can remember, a friend of mine who's very active in real estate saying, "You'll never be able to redevelop the Seattle Denny Regrade, nobody wants to live down there." Now, if you don't have a million dollars, you can't get a condo down there and that's the opening number. It does work. The issue is somewhat driven by demographics, but there's also slowly, but surely, a cultural change and fewer people today think they really have to have five acres around their house to be happy. They've found ways to live in much more compact communities. And the ability to build new communities, I can't remember what we called them.

**Rita:** Fully contained communities.

**Dick:** Yeah. The Weyerhaeuser project out east—you go out there, they're on small lots. They look very much like the way Seattle developed in its earlier years because you had to walk everywhere, right? When you didn't have a car to back out of the garage and saddling a horse was kind of a drag, you walked [laughter]. And those houses sold and now they want to do the second phase. It isn't true that people will not buy a house on a 75- by 100-foot lot. They will. And that was some of the argument that you got from people—that you couldn't get density because nobody wanted it, all those things.

I think our transit service is improving to support it. Sound Transit—for all of its other problems, which are now largely behind it—is another example of within six years after this passed, we voted in the Sound Transit program, which was based primarily on high-capacity systems, which means density. So, a lot of things flow from this. Whether you could have made the Sound Transit argument in 1996, if you hadn't done this in

1990, I'm not sure you could have. Because people were beginning to see, "Yeah, we are going to need a high capacity transit system." As I said, part of it's demographics, but not totally.

**Rita:** Well, the next question is about the most important parts of the law and you talked about critical areas, reducing sprawl through more density, infrastructure, and transportation. So is there anything else you'd like to add in terms of the most important parts of the law?

**Dick:** Well, I think that preserving agriculture and critical areas and setting the growth boundary has resulted in preserving open space and giving opportunities for that to be dealt with at a more leisurely pace. The various conservation easements, and so forth, which both the private sector and government are supporting now, are supplemental to that. But if all the acreage of agriculture was platted it might be hard to get a conservation easement on it. So there's a lot of, "Let's call it indirect things," on open space, which most people think is important to have around the community.

I'm disappointed in the fact that we are underinvesting in infrastructure and leaving aside whether you like transit or more roads, for example, the fact is we've just done a miserable job in making infrastructure investments, which are government's responsibility. To some extent, that's coming back to bite us in some pretty bad ways. I think the other thing that grew out of this, which is revolutionary, is the extent local government and the state have worked together to meet a common objective around the state. But I think this GMA plainly put the state into the game with the locals and that, in many ways from a governance point of view, is terribly important now.

Finally, with some financial help from the federal government, we've got RTPOs (regional transportation planning organizations) and MPOs (metropolitan planning organizations) all over the state. So regionalism is reasonably alive and well, and it helps in dealing with some of the regional needs and simplifies state participation. In other words, we don't need 12 or 14 sewage treatment plants in the region. Now, I know we have huge arguments about siting and all of the issues that go with that, but at least we're trying to address things like that on a regional basis. Airports are another one. You need an airport. It's pretty hard to be a major center without an airport, but at the same time we don't need 12 of them to serve the area.

So a lot of things go on through the regional process. That is helpful. And that, I think, was at least helped by GMA.

**Rita:** So the next question is, how has the GMA evolved? And you've covered that mostly. So, would you like to make any comment on how the GMA has changed land use patterns in the state?

**Dick:** Well, it's partly GMA, but it's partly economics. I think most important is that we've come to the conclusion that you have to get higher density. That was not necessarily the case in the old system. We still had a lot of five- and ten-acre plots where supposedly all the people are going to settle, and I think that has been diminished dramatically. You can actually have a developer come in and say, instead of four houses on an acre, "I want to put 12 dwellings or 20 dwellings," and we're seeing multidwellings going up in places where a few years ago it just wouldn't have happened.

We've had our skirmishes, you know; the urban village piece for the City of Seattle and all that stuff. But in spite of the politics around it, there's an awful lot of condos in this town. West Seattle and the whole of Duwamish Head area are condos. I can remember an old politician said, "As long as I'm in office, it'll never happen, because I'll put all the Republicans in there and I'm a Democrat. Only Republicans can afford to live in a condo." Well, it doesn't quite work that way, but the fact is, that these are a logical place for high density.

It's up against a hillside so you weren't blocking views and going in with five-, six-story buildings, with beautiful views back over the bay and into the city.

And you have people who are willing to pay a good piece to live in a condo. A classmate of mine in college ended up being one of the major developers on the eastside. Actually he was a planner at one time, when he came out of college, he was a planner. But, I think, he went up to Port Angeles and decided early on he couldn't make a living doing that so he came back and became a developer and actually was the president of the National Homebuilders Association. But, in any event, he thought all the development was going to occur over in the suburbs, Bellevue and so on. And he built a lot of apartments, a lot of houses over there. His kids grew up and came into the business and they said, "Hey, Dad, let's go back to Seattle." And he's built a lot of the condos in the Duwamish Head area. So he said, if it hadn't been for his kids, he said, "I would still be in what happened in the 1950s and 1960s. Everybody thought all the action was in the suburbs." So, GMA was part of what resulted in a return to the city.

**Rita:** You mentioned a number of important successes of the GMA. Are there any others you'd like to list?

**Dick:** Well, if there are, I don't remember them [laughs].

**Rita:** Okay. So how about specific examples at the local level on how the GMA is working? You talked about density in West Seattle. Any other specific examples of how it's working?

**Dick:** It's a bit of a mixed bag, but I think it has attracted density development on the Regrade and redevelopment of the Central Area. What's the name of Weyerhaeuser's development over near...

**Rita:** Issaquah.

**Dick:** Beyond Issaquah. Isn't it in Snoqualmie? Snoqualmie Ridge, I think it's called. Growth management actually invited that kind of development. In my mind, that is a great strength. Now, you can't do it all that way and nobody is suggesting that's the only way you can do it, but they came in and planned a complete community. They mitigated the issues that needed to be mitigated, built a golf course, schools, and the infrastructure.

This made the community attractive; but they did it in a pretty high-density setting. I'm not sure that would have happened under the old system. It wouldn't have happened that way because, to be blunt about it, it would have been cheaper for Weyerhaeuser to log 40 acres and plat that, build a few houses there and then plat another 25 acres and so on. This forced them to do a real planned community that I think will retain its viability over a long number of years.

## **Tape 2, Side 1**

**Rita:** What do you think are the most important amendments that have been made to the GMA over the years?

**Dick:** I just don't know. There's been some refinements I know, but it seems to me the basic structure has stayed pretty much intact and you'd expect certainly some refinements. You need somebody that's followed the detail a lot more closer than I have.

**Rita:** If another state wanted to adopt a growth management law, what advice would you give them?

**Dick:** Well, the first piece of advice, which I always suggest, is have a big mess with what you've got [laughter]. And if you have that, then you have motivation to do something. If it's working well and everybody's happy, you're not going to go anywhere. So, I guess in the real world, in politics at least, you have to wait for the disaster before you can really get people motivated to think a major change. Now, you maybe can do some incremental things—you could take little pieces and parts and add it onto what you've got and that

might be possible. But assuming voters have something to say in the state—this mythical state we’re talking about—few politicians will go for radical change if they don’t think there’s a lot of discontent with the status quo. And that’s what we had. We had enough discontent with the status quo at that particular moment of time that made it work. Now, we had great leadership, all of that which is part of it as well, but if everybody was perfectly happy with the status quo it would not have happened, even with great leadership.

**Rita:** So, do you have any other additional comments that you’d like to add?

**Dick:** I don’t think so. I look on what happened here as creating a better opportunity for creating better communities in this state. I think on balance that it has helped in protecting the environment. So, I consider it fundamentally a success. That doesn’t mean it doesn’t need to be strengthened and improved over time. It doesn’t mean that local communities don’t have an obligation to try to do a better job in the work they’re doing. But I can’t imagine what would have happened over the last 15 years if we’d done nothing.

That to me is really a scary thought, that if we just said, “Well, everything’s okay,” and gone our merry way, I think we’d have a much bigger set of problems than we have today. We have a lot of problems—housing costs; I’m not sure exactly what the government can do unless they can really make some investment in the land for development. That’s hard to do when you haven’t got any money and governments are—whether they’re local or state or federal—really strapped for dollars. You’ll find that public investment possibilities are few and far between because there is no money.

The auction of housing, which is going on all the time, is motivated not simply by the needs of people for housing, but by a financing market that has changed dramatically in terms of how you can buy houses now, how you finance them. It’s scary for me, having been a child of the Depression. It’s very, very scary what they’re doing, where you have interest-only loans, where you have adjustable mortgages, where—if the world changes—you could be paying twice as much interest as you are today. It has made gamblers out of people who are seeking housing—in my view creating a very unstable market. I mean, it stuns me that just a very modest house in the Seattle area today is \$250,000, which with small down payments takes a huge part of an average family income.

Now, there’s another part to this, just so I don’t let my kids and my grandkids completely off the hook. The square footage that people want in their houses these days compared to the first house Nancy and I bought is clearly going to make it more expensive in real dollars. It would have made it more expensive then. Our house was 1,200 square feet, our first house. Today, I understand it runs about 1,700 for a basic, entry-level house. Well, what is that? A 40 percent increase, something like that, in the square footage. And if you throw into that—there’s got to be a second bathroom or else—those are the more expensive parts of the house that raise prices. So there’s a lot of factors, but housing is, I think, a real challenge. In spite of what anybody says, I don’t think it’s strictly a question of growth management. The real question is, How do you pay to service the land needed to build these houses if you move people further and further out?

For heaven sakes, I know people who live in Roslyn now or in Ellensburg. Well, what do they do? They have a room somewhere, so they spend maybe two nights a week in the room and they commute the rest of the time. But they don’t move over there for lower cost housing. They move over there because they want to live there, but government must invest to make their lifestyle work.

Then the question of, How do we convince the public that there is a critical need for public investment? And they’ve got to get off the simplistic, “The money is wasted, nobody does anything right.” Well, how do

we deal with gridlock if we don't invest in transportation. I can't tell you whether the site that the county has chosen for the next treatment plant is the right site, but you can't add more and more houses without somewhere along the line adding more treatment facilities. So, tell me what you're going to do. Are you going to say, "You have to have a visa to enter the region and a permit to have a child?" Maybe they could give each of us an interest in the treatment plant, and we could sell it to somebody just so they could move into the region. Something like that, but social engineering is hated even more than taxes. Things like the county spending 70-80 percent of their total budgets on things like law enforcement, prosecutors, and so forth, makes [public] investment a low priority.

**Rita:** Well, thank you very much. This has been great.